

REMARKS

Applicant has carefully reviewed the Final Office Action mailed February 8, 2005. Claims 1 and 9 have been amended to more particularly describe the invention. Claims 2-3 and 10 have been amended to track corresponding changes in claims 1 and 9, respectively. Claim 5 has been canceled. New claims 12-15 have been added to round out the potential scope of protection. No new matter has been added, as the amendments made herein, as well as the new claims, are fully supported in the specification. See, for example, page 6, lines 9-18. Favorable reconsideration is respectfully requested in light of the above amendments and the following comments.

Prior to addressing the pending rejection, Applicant notes that there appear to be several potential points of confusion with respect to comments made in the previous Response. With respect to the Examiner's comment that claim 1 as previously presented did not include the feature that "the transponder in each tire detects and reports tire status in response to each request signal", Applicant notes that claim 1 as previously presented includes a transceiver that transmits a request signal to each transponder and that receives the transponder data from each transponder. One of skill in the art would have interpreted this claim language as meaning that there is a linear relationship -- when each transponder receives a request signal, it detects and reports tire status in response. Thus, Applicant does not believe that there are any errors in the previous Response.

With respect to Applicant's previous statement that Ghabra et al. describe, in paragraph 37, "the tire monitors therein transmit tire pressure signals a plurality of times at a rate that increases with increasing vehicle speed in response to a single instruction signal from the controller", and the Examiner's counter-citation of the first sentence of paragraph 37, the Examiner is invited to review all of paragraph 37. Applicant believes that the statement made previously is an appropriate interpretation of Ghabra et al.

Applicant respectfully traverses the Examiner's rejection of claims 1-11 under 35 U.S.C. §102(e) as anticipated by Ghabra et al., U.S. Patent Publication No. 2003/0179085. In order to anticipate, the cited reference must disclose each and every claimed element. Ghabra et al. fail to do so.

In particular, claim 1 (from which claims 2-8 depend) requires that the transceiver include a plurality of speed ranges that includes a first speed range and a second speed range. Claim 9 (from which claims 10-11 depend) requires steps of determining one of a plurality of speed ranges including a first speed range and a second speed range. The speed of the vehicle is faster in the second speed range than in the first speed range. The number of times that the request signal is transmitted per unit time is constant within each speed range. When the vehicle speed increases from the first speed range to the second speed range, the transceiver increases the number of times the request signal is broadcast per unit time.

To illustrate, the Examiner's attention is directed to page 6 of the instant specification. If, for example, a vehicle has a speed that is less than 100 kilometers per hour, the transceiver may generate one request signal per minute. If the example vehicle has a speed between 100 and 200 kilometers per hour, the transceiver may generate two request signals per minute. If the vehicle speed is between 200 and 300 kilometers per hour, the transceiver may generate four request signals per minute.

Although Ghabra et al. may disclose (see lines 9-15 of paragraph 37) instructing transmitters to transmit tire pressure signals in accordance with a predetermined time period, schedule or vehicle speed, the reference does not describe that the frequency at which the request signal is generated remains constant within a given vehicle speed range. Ghabra et al. do not disclose that the frequency at which the request signal is generated increases from a first constant to a second, higher, constant when the vehicle speed moves from the first speed range to the second speed range. Thus, for at least these reasons, Ghabra et al. cannot be considered as anticipatory.

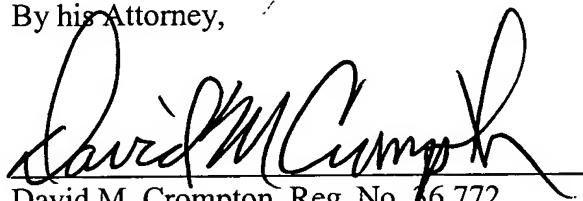
Moreover, because the number of times a request signal is generated per unit time is constant within a particular speed range, as claimed, the frequency of calculating how many times the request signal should be generated is reduced. Consequently, required calculation performance is reduced relative to the device disclosed by Ghabra et al., as Ghabra et al. appear to describe a controller that must frequently calculate request signal transmission timing or interval, as one of skill in the art will recognize that vehicle speed changes frequently during typical driving. Ghabra et al. neither describe nor suggest the claimed invention. Favorable reconsideration is respectfully requested.

Reexamination and reconsideration are respectfully requested. It is respectfully submitted that all pending claims are now in condition for allowance. Issuance of a Notice of Allowance in due course is requested. If a telephone conference might be of assistance, please contact the undersigned attorney at (612) 677-9050.

Respectfully submitted,

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By his Attorney,



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